

ENTERED

May 05, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

PENNY BOWDEN	§ CIVIL ACTION NO
KICHAMU,	§ 4:24-cv-03957
Plaintiff,	§ § § §
vs.	§ JUDGE CHARLES ESKRIDGE § §
WINDHAM	§
INDEPENDENT	§
SCHOOL DISTRICT,	§
<i>et al,</i>	§
Defendants.	§

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Plaintiff Penny Bowden Kichamu proceeds here *pro se*. She brought this action to assert a claim for employment discrimination against Defendant Windham Independent School District, alleging failure to accommodate her disability, retaliation, and a hostile work environment. Dkt 1. The matter was referred to Magistrate Judge Dena Palermo. Dkt 5.

Pending is a motion by Defendant to dismiss for inadequate service of process. Dkt 10. Also pending is a Memorandum and Recommendation by Judge Palermo dated April 3, 2025. Dkt 12. She recommends that (i) the motion be granted, and (ii) this action be dismissed without prejudice.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC §636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other

portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

No party filed objections. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 12.

The motion by Defendant to dismiss this action for inadequate service of process is GRANTED. Dkt 10.

This action is DISMISSED WITHOUT PREJUDICE.

This is a FINAL JUDGMENT.

SO ORDERED.

Signed on May 5, 2025, at Houston, Texas.



Hon. Charles Eskridge
United States District Judge